

REMARKS/ARGUMENTS

Claims 1, 2-12, and 14-22 are pending in the present application. By this Amendment, claims 1, 3-5, 12, and 14-16 have been amended and claims 2 and 13 have been canceled. No new claims have been added.

A. Rejections Under 35 U.S.C. § 102(b)

The Examiner rejected claims 1-5 and 12-16 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,199,916, issued to Klinger et al (“the ‘916 patent). Claims 2 and 13 have been canceled thereby obviating their rejections. As explained in the following remarks, the above-amendments to independent claims 1 and 12 are believed to overcome the remaining rejections.

The ‘916 patent is directed to a spin welded fluid connector and includes independent claims 1 and 7. Claim 1 is directed to a fluid connector for spin welding with a tube having a generally planar end surface and claim 7 is directed to a fluid coupling including a connector body and a tube.

Currently amended claim 1 of the present invention is directed to a method of forming a gas impermeable joint in a fuel fill system and includes the steps of spin welding a tube having a metallic layer disposed between inner and outer plastic layers to a plastic surface of a funnel portion of the fuel fill system to form the joint. Currently amended claim 12 is directed to a fuel fill system that includes a tube having a metallic layer disposed between inner and outer plastic layers and a funnel portion in fluid communication with the tube via a joint.

The ‘916 patent does not teach or suggest either a method for forming a joint between the tube claimed in claim 1 of the present invention and a fuel fill system funnel or a fuel fill system including such a tube and funnel joined by a spin welded joint. In addition, as one skilled in the art will appreciate, it would not be obvious to spin weld a tube to a fuel fill system funnel because fuel fill system funnels are typically asymmetrical, which is generally not favored for spin welding. Accordingly, the Applicants submit that the ‘916 patent fails to either anticipate or render obvious currently amended claims 1 and 12. As follows, for at least the same reasons

claims that the '916 patent fails to anticipate or render claims 1 and 12 obvious, the '916 patent also fails to either anticipate or render obvious claims 3-11 and 14-22.

B. Rejections Under 35 U.S.C. § 103(a)

The Examiner rejected claims 6-9, 11, 17-20, and 22 under 35 U.S.C. § 103(a) as obvious over the '916 patent in view of U.S. Patent No. 5,524,673, issued to Noone, and claims 10 and 21 as obvious over the '916 patent in view of U.S. Patent No. 6,074,717, issued to Little. Because claims 6-11 and 17-22 depend from either claim 1 or claim 12, both of which are believed to patentable over all the art cited, either alone or in combination, for at least the same reasons, they are also believed to be patentable. Accordingly, the Applicants respectfully request withdrawal of the obviousness rejections of claims 6-11 and 17-22.

B. Summary

In view of the foregoing amendments and remarks, it is respectfully submitted that the claims of this application are now in a condition for allowance and favorable action thereon is requested.

If the Examiner has any questions or believes that a discussion with Applicant's attorney would expedite prosecution, the Examiner is invited and encouraged to contact the undersigned at the telephone number below.

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Respectfully submitted,
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Signature of Attorney

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